

SILLS CUMMIS & GROSS P.C.

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*Attorneys for Defendants Saint Peter's  
Healthcare System, Retirement Plan  
Committee for the Saint Peter's  
Healthcare System Retirement Plan,  
Leslie D. Hirsch, Pamela Teufel,  
Garrick Stoldt, Lisa Drumbore,  
Ronald C. Rak, and Susan Ballestero*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

LAURENCE KAPLAN, on behalf of :  
himself, individually, and on behalf of all : Civil Action No. 13-2941 (MAS)(TJB)  
others similarly situated, :

Plaintiff, : Honorable Michael A. Shipp  
v. : United States District Judge  
:

SAINT PETER'S HEALTHCARE :  
SYSTEM, RETIREMENT PLAN : **NOTICE OF MOTION FOR**  
COMMITTEE FOR THE SAINT : **PARTIAL SUMMARY JUDGMENT**

PETER'S HEALTHCARE SYSTEM :  
RETIREMENT PLAN, LESLIE D. : (Electronically Filed Document)

HIRSCH, an individual, PAMELA :  
TEUFEL, an individual, GARRICK :

STOLDT, an individual, LISA :  
DRUMBORE, an individual, RONALD :

C. RAK, an individual, SUSAN :  
BALLESTERO, an individual, and :

JOHN and JANE DOES, each an :  
individual, 1-20, :

Defendants.

TO: Attorneys of Record

COUNSEL:

PLEASE TAKE NOTICE that, pursuant to the Court's Text Order, dated August 20, 2021 (ECF No. 245), on January 3, 2022, at 9:00 A.M. in the forenoon, or as soon thereafter as counsel may be heard, the undersigned attorneys for defendants Saint Peter's Healthcare System, Retirement Plan Committee for the Saint Peter's Healthcare System Retirement Plan, Leslie D. Hirsch, Pamela Teufel, Garrick Stoldt, Lisa Drumbore, Ronald C. Rak, and Susan Ballestero (collectively, the "Defendants"), shall move before the Honorable Michael A. Shipp at the United States District Court for the District of New Jersey, Clarkson S. Fisher Building and U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608 for an Order, pursuant to Fed. R. Civ. P. 56, granting partial summary judgment to Defendants and holding that the Saint Peter's Healthcare System Retirement Plan satisfies the criteria of 29 U.S.C. § 1002(33)(C)(i) as a church plan exempt from ERISA.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendants shall rely upon the accompanying Certification of Garrick Stoldt, Certification of Jeffrey J. Greenbaum, Memorandum of Law and Statement Pursuant to Local Civil Rule 56.1. A proposed form of Order is also attached.

PLEASE TAKE FURTHER NOTICE that Defendants hereby request oral argument.

Respectfully submitted,

SILLS CUMMIS & GROSS P.C.  
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By: s/ Jeffrey J. Greenbaum  
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*Attorneys for Defendants*

Dated: September 30, 2021